

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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IN RE: REFCO INC. SECURITIES LITIGATION

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Case No. 07 MDL 1902 (JSR)

THOMAS H. LEE EQUITY FUND V, L.P.,  
THOMAS H. LEE PARALLEL FUND V, L.P.,  
and THOMAS H. LEE EQUITY (CAYMAN)  
FUND V, L.P.,

Case No. 07 Civ. 8663 (JSR)

Plaintiffs/Counterclaim Defendants,

v.

GRANT THORNTON LLP,

Defendant/Counterclaim Plaintiff.

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**PLAINTIFFS' NOTICE OF  
MOTION TO STRIKE THE  
UNTIMELY DISCLOSED  
EXPERT OPINION OF PETER  
KAUFMAN**

**PLEASE TAKE NOTICE THAT**, upon the accompanying Memorandum of Law in Support of Plaintiffs' Motion to Strike the Untimely Disclosed Expert Opinion of Peter Kaufman and the Declaration of Christopher J. Walker, all dated August 17, 2011, the undersigned will move this Court before the Honorable Judge Jed S. Rakoff, United States District Judge, in the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 14B, New York, New York 10007, at a date and time to be set by the Court, for an order granting Motion To Strike the Untimely Disclosed Expert Opinion of Peter Kaufman, pursuant to Federal Rule of Civil Procedure 37; any Opposition to this Motion for Summary Judgment shall be served and filed by August 22, 2011, with oral argument by telephone scheduled for 2 p.m. on August 24, 2011.

Dated: August 17, 2011

KELLOGG, HUBER, HANSEN, TODD,  
EVANS & FIGEL, P.L.L.C.

By: /s/ Kevin B. Huff

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